

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

DEAN D. RASMUSSEN, D.V.M.
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0001028

[Division of Enforcement Case #09 VET 18]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Dean D. Rasmussen, D.V.M.
321 12th Avenue S
Wisconsin Rapids, WI 54495

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Veterinary Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Veterinary Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Dean D. Rasmussen, D.V.M. ("Respondent") was born on February 19, 1963, and is licensed to practice veterinary medicine in the state of Wisconsin pursuant to license number 3459-50. This license was first granted on August 8, 1989.

2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing is 321 12th Avenue S, Wisconsin Rapids, WI 54495.

3. At all times relevant to this proceeding, Respondent was working as a veterinarian at All Care Animal Hospital in Wisconsin Rapids, Wisconsin.

4. On December 24, 2008, client "R.S.," brought her female dog "Pearl" into Respondent's office for the delivery of a litter of puppies via c-section. Respondent noted in the patient medical record the following: five of the puppies were alive, two were dead, there was very black uterine fluid with dozens of cysts on the uterus and the uterine wall on either side of the cervix had herniated the muscle layer. The Respondent recommended an emergency ovariohysterectomy.

5. During the c-section surgical procedure, Respondent sent his assistant to inform R.S. that Pearl required an emergency ovariohysterectomy. Respondent failed to note in the patient medical record what R.S. was told about the reasons warranting the emergency ovariohysterectomy. Respondent failed to note whether the client actually consented to the procedure. Respondent performed the emergency ovariohysterectomy, and Pearl was discharged home without any complications.

6. Approximately two hours after surgery, the surgical incision began to seep blood. R.S. contacted Respondent, who went to R.S.'s home to examine Pearl. Respondent believed that Pearl may have been more active post operatively than recommended, which may have caused the ligatures to loosen. Respondent applied a pressure bandage and advised R.S. to immediately take Pearl to an emergency clinic.

7. At the emergency clinic, another veterinarian examined Pearl and found her to be obtunded, hypotensive and had moderate hemorrhage from the incision. Pearl was stabilized and abdominal exploratory surgery was performed. Surgery revealed a large amount of blood and several large blood clots in the left retroperitoneal region. All the ligatures were intact and there was no active hemorrhage. Some of the sutures were re-enforced. Pearl was given a blood transfusion, admitted for observation and discharged on December 26, 2008.

8. Respondent wrote a letter to R.S. dated January 21, 2009, explaining why the emergency ovariohysterectomy was necessary. Respondent stated that while he was performing the c-section, he observed that the uterus appeared to be necrotic and was completely covered in cysts.

9. Respondent failed to note any physical examination of the dog including temperature, pulse, or respiration rate, prior to the c-section surgery. Respondent failed to note the weight of the dog prior to the c-section surgery. Respondent failed to note reasons or justifications for why the delivery of the puppies needed to be done via c-section. Respondent failed to note a description of the c-section surgical procedure in the medical records. Respondent failed to record whether R.S. consented to the emergency ovariohysterectomy in the medical records.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.07(2), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct of Respondent in failing to maintain minimally adequate patient medical records as required by Wis. Admin. Code § VE 7.03, as described in paragraphs 5 and 9, above, constitutes a violation of Wis. Admin. Code § VE 7.06(15) and he is therefore subject to discipline pursuant to Wis. Stat. § 453.07(2)(a).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Dean D. Rasmussen, D.V.M., is hereby REPRIMANDED.
2. Respondent's license to practice veterinary medicine in the state of Wisconsin is LIMITED by the condition that, within nine (9) months of the date of this Order, Respondent shall obtain and successfully complete a minimum of two (2) hours of continuing education in the area of veterinary medical record keeping. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.
3. Respondent shall locate the course(s) required by this Order, provide adequate course descriptions to the Department Monitor, and obtain pre-approval of the courses from the Wisconsin Veterinary Examining Board, or its designee, prior to commencement of the programs. For purposes of this Order, the Board's designee is the Department Monitor:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

4. Within thirty (30) days following completion of the course(s) described in this Order, Respondent shall file with the Department Monitor certifications from the sponsoring organization(s) verifying his attendance at the required courses.
5. Respondent is responsible for all costs of compliance with this Order.

6. Upon successful completion of the educational programs, submission and approval of the records and payment of the costs set forth below, Respondent's license to practice veterinary medicine shall be restored to unlimited status.

7. Respondent shall, within ninety (90) days from the date of this Order, pay COSTS of this proceeding in the amount of ONE THOUSAND FOUR HUNDRED DOLLARS (\$1,400.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

8. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license (# 3459-50) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the payment of the costs or completion of the continuing education.

9. This Order is effective on the date of its signing.

Wisconsin Veterinary Examining Board

By: Marthinah Green MJD
A Member of the Board

8/3/11
Date